

ORIGINAL

1  
2 UNITED STATES DISTRICT COURT  
3 EASTERN DISTRICT OF NEW YORK

4 THOMAS HARTMANN,

5 PLAINTIFF,

6 CV-04-1784 (ILG) (CLP)

7 -against-

8 THE COUNTY OF NASSAU, NASSAU COUNTY POLICE  
9 DEPARTMENT, POLICE OFFICER KARL. L SNELDERS,  
10 POLICE OFFICER MICHAEL KNATZ, DEPUTY INSPECTOR  
11 ROBERT TURK, LIEUTENANT THOMAS ZAMOJCIN, POLICE  
12 OFFICER KEVIN W. SMITH, POLICE OFFICER PHILIP  
13 BRADY, DETECTIVE BARRY O. FRANKLIN, POLICE  
14 OFFICER THOMAS O. MCCAFFREY and "JOHN and JANE  
15 DOES 1-15" representing as yet unknown and  
16 unidentified police officers,

17 DEFENDANTS.

18 DATE: May 18, 2005

19 TIME: 10:20 a.m.

20 EXAMINATION BEFORE TRIAL of the

21 Defendant, POLICE OFFICER KARL L. SNELDERS, taken  
22 by the Plaintiff, pursuant to an Order, held at  
23 the LAW OFFICES OF DANIEL J. HANSEN, ESQ., 233  
24 Broadway, New York, New York 10279, before a  
25 Notary Public of the State of New York.

SNELDERS

1  
2 A. Well, I didn't even prepare it, I  
3 probably dictated it to her to -- actually, I  
4 don't remember dictating the narrative either even  
5 though it said I did it.

6 Q. Look at the top left there is a date,  
7 3/12/04?

8 A. Yes.

9 Q. It says, "at 21:27," is that the time?

10 A. That's the time the desk officer secured  
11 sign it.

12 Q. What does that mean?

13 A. That means that he has to look it over  
14 and he actually assigns the crime to a case and  
15 sends it where it has to go.

16 Q. When something is secured signed, is  
17 that like a time and date stamp on it?

18 A. Just that he secured signed it.

19 Q. Now, to the left of that it says,  
20 "preliminary written by 6760 SNELD," is that you?

21 A. Yes.

22 Q. Does that mean that you wrote this  
23 narrative that is listed on the document?

24 A. What was that?

25 Q. Does that represent your authorship of



SNELDERS

this narrative?

MS. O'NEILL: He is asking whether this up here (indicating), indicates whether you wrote it?

THE WITNESS: It's suppose to, but I didn't prepare this.

Q. Who prepared it?

A. I don't know.

Q. Do you know where the information came from on this?

A. No, I don't, I definitely didn't. This is not what I would have written. With our computer system, if I sign on the computer and somebody else types, it will put my name up there as a narrative, but I didn't type the narrative.

Q. Did you sign on?

A. I was signed on on the computer that night.

Q. Did you have a password to sign on?

A. When I sign on the computer, once I am in Swift Justice and I access -- once I sign on Swift Justice and I access case report or arrest report, somebody else goes and types in, it will put my name on this even though I didn't do it,

1 SNELDERS

2 but I didn't type this.

3 Q. Is there anything in that narrative that  
4 you disagree with?

5 A. I don't know about Officer Knatz  
6 pointing his firearm at him or yelling to him,  
7 "Let me see your hands." If I wrote that, I  
8 wouldn't have put that in there because I didn't  
9 see that. I don't know who did it.

10 MR. HANSEN: Mark this as Plaintiff's  
11 Exhibit 29 for identification.

12 (Whereupon, the aforementioned one-page  
13 document case report was marked as Plaintiff's  
14 Exhibit 29 for identification as of this date  
15 by the Reporter.)

16 Q. I am showing you what has been marked as  
17 Plaintiff's Exhibit 29, do you recognize that  
18 document?

19 A. Yes, it's a case report for that date.

20 Q. Did you write that report?

21 A. I called this one in, yes.

22 Q. When did you call it in?

23 A. I don't know what time, it was later on  
24 that night, I didn't dictate that one though.

25 Q. When you say, "you didn't dictate that

1 SNELDERS

2 one though," are you saying that you didn't  
3 dictate the report marked as Plaintiff's Exhibit  
4 29, is that what you are saying?

5 A. Yes, this (indicating) is the one I  
6 dictated.

7 Q. Is there a date and time that the  
8 document marked as Plaintiff's Exhibit 29 was  
9 secure signed?

10 A. This one is 21:33.

11 Q. On what date?

12 A. The 12th.

13 Q. And what date and time was the document  
14 marked as Plaintiff's Exhibit 28 secure signed?

15 A. 21:27.

16 Q. About six minutes earlier?

17 A. That's correct.

18 Q. It's your position that you dictated the  
19 document marked as Plaintiff's Exhibit 29, but you  
20 had nothing to do with the one marked as  
21 Plaintiff's Exhibit 28, is that your testimony?

22 A. That's correct.

23 Q. Do you know if Officer Knatz appeared at  
24 any case report or incident report or 32 or 85?

25 A. No, now I know where this came up on



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10 DEPARTMENT, POLICE OFFICER KARL L. SNELDERS,  
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16 representing as yet unknown and unidentified  
17 police officers,

18  
19 DEFENDANTS.  
20 -----X

21  
22 DATE: May 20, 2005

23  
24 TIME: 10:26 a.m.  
25

26  
27 EXAMINATION BEFORE TRIAL of the Defendant,  
28 ROBERT TURK, b/s/h/a INSPECTOR ROBERT TURK, taken  
29 by the Plaintiff, pursuant to a Court Order, held  
30 at the offices of THE COCHRAN FIRM, SCHNEIDER,  
31 KLEINICK, WEITZ & DAMASHEK, ESQS., 233 Broadway,  
32 New York, New York 10279, before a Notary Public  
33 of the State of New York.

1 R. TURK

2 document as to who prepared the narrative that  
3 runs a number of lines on the top of the report  
4 beginning with the words "after a pursuit"?

5 A. It indicates a series of numbers and  
6 it appears to be Officer Snelders.

7 Q. How was it that a BSO officer or any  
8 other officer gained access to the computer system  
9 to make an entry such as that which appears on  
10 Plaintiff's Exhibit 28?

11 A. I don't understand.

12 Q. Is there a sign-in procedure in order  
13 for the officer to make such an entry?

14 A. Yes.

15 Q. Is the officer or in particular case  
16 Officer Snelders given a log in --

17 A. By serial number.

18 Q. By the badge?

19 A. Serial number.

20 Q. Is that a different from the badge  
21 number?

22 A. That is correct.

23 Q. Can other officers prepare this  
24 document under Officer Snelders' name or make  
25 entries in his name?

1

R. TURK

2

A. No.

3

Q. Would that be against protocol or is  
4 it just not done?

5

A. It's just not done.

6

Q. I am going to show you Plaintiff's  
7 Exhibit 29 also from May 18th. Is that also part  
8 of a case report?

9

A. Again, these are detective division  
10 information and part of their follow-up  
11 investigation.

12

Q. From your understanding as a member  
13 of the Nassau County Police Department for the  
14 past 30-something years, do you recognize this  
15 document?

16

A. It's not a document that in patrol  
17 that we would use. I don't see it in the regular  
18 course.

19

Q. Have you seen these in the past?

20

A. I don't remember.

21

Q. Have you seen this particular  
22 document in the past?

23

A. No.

24

Q. Does this document indicate who  
25 authored the narrative portion referring to



1 R. TURK

2 RMP921?

3 A. It indicates a serial number 6760 and  
4 Snelders.

5 Q. That would be Officer Snelders?

6 A. Yes.

7 Q. Just like the other document?

8 A. That is correct.

9 Q. Does that tell you who authored the  
10 narrative?

11 A. The DD narrative or the preliminary?

12 Q. The preliminary?

13 A. That would be Officer Snelders  
14 according to this document.

15 Q. The DD narrative, that would be the  
16 detective division narrative; is that right?

17 A. That is right.

18 Q. Another document that we spoke about  
19 before is the district court information, remember  
20 earlier on? I have now handed you a document; does  
21 it have an Exhibit number from May 18th?

22 A. Yes.

23 Q. What Exhibit number is that?

24 A. Twenty-six.

25 Q. And is that the information that we